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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

THE REAL PROPERTIES LOCATED AT:

**164 CHESTNUT STREET,
ENGLEWOOD CLIFFS, NEW JERSEY;**

**5506 INSPIRATION TERRACE,
BRADENTON, FLORIDA;**

**465 BRICKELL AVE., UNIT 4002,
MIAMI, FLORIDA;**

**465 BRICKELL AVENUE, UNIT 4001,
MIAMI, FLORIDA; AND**

**1740 TAYLOR AVENUE,
BRONX, NEW YORK; AND**

**ONE 2009 BENTLEY CONTINENTAL FLYING
SPUR SEDAN, VEHICLE IDENTIFICATION
NUMBER SCBBP93W39C061317,**

Defendants *in rem*.

Honorable Kevin McNulty

Civil Action No. 14-7936

**CITIMORTGAGE INC.'S
VERIFIED CLAIM OF INTEREST
IN:**

**465 BRICKELL AVE., UNIT 4002,
MIAMI, FLORIDA; AND**

**465 BRICKELL AVE., UNIT 4001,
MIAMI, FLORIDA**

CitiMortgage, Inc. (“CitiMortgage”), by and through its attorneys, Sidley Austin LLP, files and submits this Verified Claim of Interest pursuant to Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure, asserting an interest in, and claim to, the real property located at 465 Brickell Avenue, Unit 4002, Miami, Florida (“Condominium Unit 4002”), and 465 Brickell Avenue, Unit 4001, Miami, Florida (“Condominium Unit 4001”), and hereby contests forfeiture of those properties in which CitiMortgage has an interest.

In support of this Verified Claim of Interest, and as grounds for the relief requested herein, CitiMortgage states:

BACKGROUND

1. CitiMortgage is and, at all relevant times hereinafter mentioned, was a corporation organized and existing under the laws of the State of New York engaged in the business of conducting general banking activities including, but not limited to, commercial and real estate lending services, and is authorized to do business in the state of Florida, among other places. CitiMortgage has an office located in New York City, New York.

A. Condominium Unit 4002

2. On or about May 11, 2011, Keila Ravelo (“Ravelo”) borrowed from CitiMortgage the principal sum of \$403,650 to acquire Condominium Unit 4002. To evidence this indebtedness, Ravelo executed and delivered to CitiMortgage an Adjustable Rate Note dated May 11, 2011 (the “Unit 4002 Note”), pursuant to which Ravelo was bound and promised to pay to CitiMortgage said sum, with interest thereon at the interest rate provided therein. A copy of the Unit 4002 Note is annexed hereto as Exhibit A.

3. As collateral security for the repayment of the indebtedness represented by the Unit 4002 Note, Ravelo and her husband, Melvin Feliz (“Feliz”), simultaneously therewith (on May 11, 2011), executed, acknowledged, and delivered to CitiMortgage a Mortgage (the “Unit 4002 Mortgage”) by which Ravelo and Feliz granted to CitiMortgage a first mortgage lien on Condominium Unit 4002, Ravelo and Feliz then being the owners of Condominium Unit 4002. The Unit 4002 Mortgage was duly recorded on June 3, 2011 in the Office of the Clerk of the Court in Book 27710, Pages 2685-2701. A copy of the Unit 4002 Mortgage is annexed hereto as Exhibit B.

4. The Unit 4002 Note and the Unit 4002 Mortgage (collectively, the “Unit 4002 Loan Documents”) provide, *inter alia*, that Ravelo and Feliz shall pay to CitiMortgage all costs and expenses, including reasonable attorneys’ fees, incurred by CitiMortgage in enforcing the Unit 4002 Loan Documents and protecting CitiMortgage’s interest in Condominium Unit 4002. Such costs and expenses are part of the indebtedness due to CitiMortgage under the Unit 4002 Loan Documents, bear interest at the interest rate provided therein, and are secured by the Unit 4002 Mortgage.

5. As of the date of this Verified Claim (January 28, 2015), there is due and owing to CitiMortgage under the Unit 4002 Loan Documents the principal sum of \$377,999.70, accrued and unpaid interest thereon in the sum of \$2,495.51, which interest continues to accrue at the rate of \$42.7191 per diem from and after the date hereof, in addition to real estate tax escrows (in the sum of \$11,373.59 as of the date hereof), costs, fees and expenses (including attorneys’ fees), and all other indebtedness due under the Unit 4002 Loan Documents (collectively, the “4002 Indebtedness”).

6. Pursuant to the terms of the Unit 4002 Loan Documents, CitiMortgage, as the holder of a duly perfected first mortgage lien on Condominium Unit 4002, is entitled to be paid the 4002 Indebtedness from the first proceeds of any sale or disposition of Condominium Unit 4002 that is the subject of this forfeiture action. Upon such payment in full, CitiMortgage shall release the Unit 4002 Mortgage from Condominium Unit 4002.

B. Condominium Unit 4001

7. On or about July 1, 2010, Ravelo borrowed from CitiMortgage the principal sum of \$600,000 to acquire Condominium Unit 4001. To evidence this indebtedness, Ravelo executed and delivered to CitiMortgage an Interest-Only Period Adjustable Rate Note dated July 1, 2010 (the “Unit 4001 Note”), pursuant to which Ravelo was bound and promised to pay to CitiMortgage said sum, with interest thereon at the rate(s) provided therein. A copy of the Unit 4001 Note is annexed hereto as Exhibit C.

8. As collateral security for the repayment of the indebtedness represented by the Unit 4001 Note, Ravelo, simultaneously therewith (on July 1, 2010), executed, acknowledged, and delivered to CitiMortgage a Mortgage (the “Unit 4001 Mortgage”) by which Ravelo granted to CitiMortgage a first mortgage lien on Condominium Unit 4001, Ravelo then being the owner of Condominium Unit 4001. The Unit 4001 Mortgage was duly recorded on July 13, 2010 in the Office of the Clerk of the Court in Book 27351, Pages 0041-0060. A copy of the Unit 4001 Mortgage is annexed hereto as Exhibit D.

9. The Unit 4001 Note and the Unit 4001 Mortgage (collectively, the “Unit 4001 Loan Documents”) provide, *inter alia*, that Ravelo shall pay to CitiMortgage all costs and expenses, including reasonable attorneys’ fees, incurred by CitiMortgage in enforcing the Unit

4001 Loan Documents and protecting CitiMortgage's interest in Condominium Unit 4001. Such costs and expenses are part of the indebtedness due to CitiMortgage under the Unit 4001 Loan Documents, bear interest at the interest rate provided therein, and are secured by the Unit 4001 Mortgage.

10. As of the date of this Verified Claim (January 28, 2015), there is due and owing to CitiMortgage under the Unit 4001 Loan Documents the principal sum of \$600,000, accrued and unpaid interest thereon in the sum of \$3,961.13, which interest continues to accrue at the rate of \$67.8082 per diem from and after the date hereof, in addition to real estate tax escrows (in the sum of \$20,091.37 as of the date hereof), costs, fees and expenses (including attorneys' fees), and all other indebtedness due under the Unit 4001 Loan Documents (collectively, the "4001 Indebtedness").

11. Pursuant to the terms of the 4001 Documents, CitiMortgage, as the holder of a duly perfected first mortgage lien on Condominium Unit 4001, is entitled to be paid the 4001 Indebtedness from the first proceeds of any sale or disposition of Condominium Unit 4001 that is the subject of this forfeiture action. Upon such payment in full, CitiMortgage shall release the Unit 4001 Mortgage from Condominium Unit 4001.

WHEREFORE, CitiMortgage:

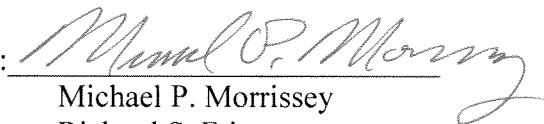
A. objects to the forfeiture of the real property located at 465 Brickell Avenue, Unit 4002, Miami, Florida (i.e., Condominium Unit 4002), and/or requests the Court to direct that all indebtedness due to CitiMortgage under the Unit 4002 Loan Documents be paid in full prior to any forfeiture of Condominium Unit 4002 or from the proceeds of any sale ordered by the Court

prior to the distribution to any other party of any such proceeds, or any portion thereof, along with such other and further relief as is just and proper; and

B. objects to the forfeiture of the real property located at 465 Brickell Avenue, Unit 4001, Miami, Florida (i.e., Condominium Unit 4001), and/or requests the Court to direct that all indebtedness due to CitiMortgage under the Unit 4001 Loan Documents be paid in full prior to any forfeiture of Condominium Unit 4001 or from the proceeds of any sale ordered by the Court prior to the distribution to any other party of any such proceeds, or any portion thereof, along with such other and further relief as is just and proper.

Dated: New York, New York
January 28, 2015

SIDLEY AUSTIN LLP

By: 

Michael P. Morrissey

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Attorneys for CitiMortgage, Inc.

TO: Assistant United States Attorney Marion Percell
United States Attorney's Office
District of New Jersey
970 Broad Street, 7th Floor
Newark, NJ 07102

VERIFICATION OF CLAIM

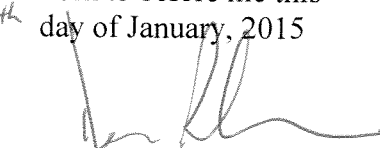
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

STEPHEN EUSTACE, being duly sworn, deposes and says:

I am a Vice President of CitiMortgage, Inc., a New York corporation, claimant in this action, and I am authorized to make this Verification for and on behalf of CitiMortgage. I have read the foregoing Verified Claim of Interest and know the contents thereof, and the same is true to my own knowledge, except as to those matters alleged upon information and belief and, as to those matters, I believe them to be true. I make this verification because CitiMortgage is a corporation and I am an officer thereof. The grounds and basis for my knowledge and belief are CitiMortgage's books and records.



STEPHEN EUSTACE

Sworn to before me this
28th day of January, 2015


Notary Public

DARREN RUBEN
Notary Public, State of New York
No. 01RU5065889
Qualified in Nassau County
Commission Expires 9/16/2018

CERTIFICATE OF SERVICE

Nicholas La Forge, pursuant to 28 U.S.C. 1746, under penalty of perjury, certifies that on the 30th day of January, 2015, I served upon Assistant United States Attorney Marion Percell, the government attorney designated under Rule G(4)(a)(ii)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure, the attached CitiMortgage Inc.'s Verified Claim of Interest, by overnight delivery addressed as follows:

Assistant United States Attorney Marion Percell
United States Attorney's Office
District of New Jersey
970 Broad Street, 7th Floor
Newark, NJ 07102


NICHOLAS LA FORGE